PTO/SB/21 (01-03) MAY 2 0 2003 Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE e Paperwork Reduction Act of 1995, no persons are required to respond to a **Application Number** 09/978,386 BADEMAR **TRANSMITTAL** Filing Date 10/16/2001 **FORM** First Named Inventor James F. Zucherman Art Unit 3731 (to be used for all correspondence after initial filing) **Examiner Name** Sarah K. Webb **Attorney Docket Number** KLYC-01055US1 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board Fee Attached Licensing-related Papers of Appeals and Interferences Appeal Communication to Group 1 Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer **Extension of Time Request** Identify below): Request for Refund Postcard Express Abandonment Request Information Disclosure Statement CD, Number of CD(s) RECEIVED Remarks Certified Copy of Priority Document(s) MAY 2 7 2003 Response to Missing Parts/ Incomplete Application TECHNOLOGY CENTER R3700 Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Sheldon R. Meyer Registration No.: 27,660 Fliesler Dubb Meyer & Lovejoy LLP Individual Signature Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 05/16/03 Typed or printed Sheldon R. Mever Signature Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): James F. Zucherman; Ken Y. Hsu;

Charles J. Winslow; John Flynn

Appln. No.: 09/978,386

Confirm. No.: 4255

Filed: October 16, 2001

CURVED DILATOR AND METHOD Title:

> Sheldon R. Moyer, Reg. No. 27,660 Signature Date: May 16, 2003

PATENT APPLICATIO

Art Unit: 3731

Sarah K. Webb Examiner:

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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RESPONSE A TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

Art Unit 3731 Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This RESPONSE A is in reply to the Office Action mailed March 28, 2003. No fee is due for the addition of any new claims.

Amendments

Please amend the above-identified application as follows:

-1-